

**To:** Swenson, Peter[swenson.peter@epa.gov]  
**From:** Ex. 6 - Personal Privacy  
**Sent:** Sat 5/6/2017 9:27:29 PM  
**Subject:** Re: Your email message regarding the Back Forty Project

Concerned Menominee River Resident...Thank you Peter Swenson for your informative e-mail.

I have been living on the Menominee River for 40 years. My concern is about keeping our River clean. All this talk about bad contamination in the water, will actually happen if the Back Forty gets it way. I am concerned for my family, but in the Bigger picture imagine the effect on the Michigan side and also the Wisconsin side. Water flows downstream here and I don't have to tell you where it goes...The contamination will effect so many millions...Clean water is life, we need to preserve life, not destroy it...Please do not let bad things happen people are afraid. Our life on the River is in your hands, do not allow the Back Forty to have the last permit...This all makes perfect sense to me and I hope you can see my point...We will die here on the River, and I am not ready for that yet.

Sent from Windows Mail

**From:** Swenson, Peter  
**Sent:** Friday, May 5, 2017 1:31 PM

Thank you for your recent email message expressing concerns about the proposed Aquila Resources Inc. Back Forty Project in Menominee County, Michigan.

As currently proposed, the Back Forty Project requires a number of permits, including permits required by federal statute. The State of Michigan has the authority and responsibility to review permit applications and issue these permits. In its oversight role, EPA reviews the State's permits to ensure their consistency with federal statutes. EPA has engaged with the Michigan Department of Environmental Quality (MDEQ) on each of the following permits required by federal law:

Clean Air Act Permit: During the public comment period, EPA stated its concerns with some of the draft air construction permit conditions. As part of its permitting process, MDEQ provided a response to comments document addressing EPA's comments and all comments received during the public comment period at time of final air construction permit issuance. MDEQ revised certain permit conditions to address EPA's concerns.

Clean Water Act Section 402 Permit (wastewater discharge permit): EPA

provided comments on the draft permit during the public comment period. MDEQ provided a revised permit and the State's responses to comments.

EPA provided additional comments to MDEQ on the revised permit. EPA's comments were focused primarily on toxicity testing and ambient monitoring requirements. EPA's comments were accepted by MDEQ and incorporated into the permit before it was issued on April 5, 2017.

Clean Water Act Section 404 Permit (wetlands permit): In August 2016, EPA objected to MDEQ issuing a 'Wetlands and Inland Lakes and Streams Permit.' Aquila Resources Inc. subsequently withdrew its MDEQ permit application. In January 2017, Aquila Resources Inc. re-applied to MDEQ. After MDEQ completes review of the application for completeness, MDEQ will issue a public notice, at which time, the public, tribes, and EPA will have an opportunity to provide comments. EPA will provide a thorough review of the revised permit application at that time.

Michigan also maintains state authority to issue mining permits under Part 632 of its Natural Resources and Environmental Protection Act. EPA does not have authority to oversee the State's Part 632 permits. If you have formal comments you wish to make, we recommend you submit them to the MDEQ within the relevant comment periods.

EPA is committed to ensuring that permits issued by MDEQ for the Back Forty Project comply with applicable federal environmental protection laws.

Thank you for your interest in this matter.

Peter Swenson

Chief, Watersheds and Wetlands Branch

U.S. Environmental Protection Agency, Region 5